



Entered on Docket  
October 18, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegler", is written over a horizontal line.

Hon. Linda B. Riegler  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR  
Chapter 11

**Order Sustaining Second Omnibus  
Objection Of USACM Trust To Proofs Of  
Claim Based In Part Upon Investment In  
The SVRB 2.325 Loan**

Hearing Date: September 30, 2011  
Hearing Time: 9:30 a.m.

The Court having considered the "Second Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The SVRB 2.325 Loan." ("SVRB 2.325 Loan") [DE 8827] (the "Objection"); the Court having heard the Objection on September 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to

1 repayment by the borrower or from the collateral securing the SVRB 2.325 Loan; and  
2 good cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8827] is sustained; and  
5 2. The claims listed on **Exhibit A** attached are 20% allowed and 80%  
6 disallowed to the extent those claims are based upon an investment in the SVRB 2.325  
7 Loan.

8  
9 PREPARED AND RESPECTFULLY SUBMITTED BY:

10 **LEWIS AND ROCA LLP**  
11

12 By /s/ John Hinderaker (AZ #018024)

13 Robert M. Charles, Jr.

14 John Hinderaker (*pro hac vice*)

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## LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

\_\_\_\_\_ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

\_\_\_\_\_ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: \_\_\_\_\_

\_\_\_\_\_ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:  
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)  
Attorneys for USACM Liquidating Trust

# # #

## USACM Trust

## SVRB 2.325 Loan

## Multiple Loan Claims

Claim	Name	Address	Total Claim Amount	Approximate Amount Related to an Investment In the SVRB \$2,325,000 2nd (SVRB Investment) Loan	Amount Disallowed (80%)	Amount Allowed (20%)
		C/O Laurel E Davis Lionel Sawyer & Collins 300 South Fourth Street, Suite 1700 Las Vegas, NV 89101	Unknown *	Unknown	Unknown	Unknown
10725-02014	Canepa Defined Ben Pension Pln, Scott K	1427 Kearney Street St. Helena, CA 94574	1,023,000.00	100,000.00	80,000.00	20,000.00
10725-00092	Corison, James	Lynda L Pinnell Ttee 9915 Saddleback Dr Lakeside, CA 92040	649,047.68	25,000.00	20,000.00	5,000.00
10725-01213-2	Peter Valve Company Inc.	2800 Wronde! Way Ste A Reno, NV 89502-4297	100,000.00	25,000.00	20,000.00	5,000.00
10725-01214-2	Rulon, Phillip	2800A Wronde! Way Reno, NV 89502	503,479.62	25,000.00	20,000.00	5,000.00
10725-02175	Simmons Hwjtwros, Alan R & Judith B	Po Box 13296 South Lake Tahoe, CA 96151-3296	1,186,288.22	25,000.00	20,000.00	5,000.00
10725-00152	Walker, Linda M	3710 Clover Way Reno, NV 89509	101,500.00	25,000.00	20,000.00	5,000.00

\*The amount of this claim is believed to be \$40,000. The USACM Trust has filed a motion to amend this order to insert \$40,000 as the amount of the claim.

EXHIBIT A

2430453.1